

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

United States of America, vs. Jovan Marquis Harris,	Plaintiff, Defendant.	Case No.: 3:16-cr-272 MOTION FOR CONTINUANCE OF SENTENCING HEARING
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The Defendant, Jovan Marquis Harris (“Mr. Harris”), by and through his attorney, Kenneth J. Kohler, hereby moves the Court for an Order continuing the Sentencing Hearing in the above-entitled matter, scheduled for October 9, 2018 at 1:30 PM, based on additional time needed to prepare to argue sentencing issues.

The government has indicated its desire to argue for an upward point count in sentencing based upon Mr. Harris’ leadership role in his conviction. Mr. Harris believes testimony from government witnesses at trial contradict this premise. A request for Transcript was timely made via CJA eVoucher on June 11, 2018, but has yet to be received. Mr. Harris believes this is essential evidence for the Court’s consideration of this issue. Queries to determine when the transcript will be completed have been made, and we have just received word that while the request was properly made in June, the transcriptionist has not started this project. She informs us, that due to heavy court involvement, she will need at least two more months to complete our request. Further, additional time is necessary for Mr. Harris’ family to travel for this sentencing. The Defendant, Mr. Harris, is requesting a delay of at least three months.

Dated this 3rd day of October, 2018.

VOGEL LAW FIRM

/s/ Kenneth J. Kohler

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